



**LONGBOAT KEY POLICE DEPARTMENT**  
**Peter A. Cumming, Chief of Police**

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**PROCEDURAL GENERAL ORDERS**

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**Title: License Plate Reader Camera System**

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**Effective:** August 23, 2016

**Rescinds/Amends:** All previous written procedures/memos

**Pages:** 6

**Reviewed:**

**Revised:**

**Purpose:**

To establish procedures for assignment, training, usage, security access, storage and retention of associated data pertaining to the License Plate Reader (LPR) camera systems used by Longboat Key Police Department members.

**Scope:**

This order applies to all law enforcement division members.

**Policy:**

It is the policy of the Longboat Key Police Department to utilize license plate recognition (LPR) technology in a safe and professional manner. The Longboat Key Police Department continuously strives to utilize the most current technologies for crime prevention and the apprehension of criminals. The use of LPR technology assists members in identifying and reading multiple vehicle license plates and comparing this captured information to the NCIC/FCIC data bases to identify stolen license plates, stolen vehicles, wanted persons/vehicles, or other related "hit" information.

**Procedure:**

- A. **Training:** Only members who have received the appropriate training may operate the LPR camera system. The Patrol Commander or designee shall train members in the use of the LPR camera system.
  - a. Members shall receive training on the LPR camera system software, how information is utilized and retrieved, camera placement, as well as legal guidelines and considerations.

- b. Longboat Key staff shall review updates provided by the LPR camera system manufacturers, NCIC/FCIC regulations, and appropriate legal mandates and relay this information to all LPR camera system users.

**B. System Description and Function:**

- a. The LPR camera system takes a digital photograph of every vehicle and license tag that enters its field of view. It then searches a hotlist to see if the tag is wanted for any reason.
- b. The LPR camera system does not conduct a live check against FCIC or NCIC. The system conducts checks against a hotlist database which is periodically downloaded throughout the day from FDLE.
- c. The system is not able to determine the type of license plate detected. (i.e. the system may detect tag #ABC123, but cannot determine if the tag is from Florida or an alternative state or country). As a result, every tentative hit by the LPR camera system must be verified via a live query transaction through FCIC/NCIC by the officer before any contact is made. A 'tentative' hit by the LPR camera system prior to a live query transaction through NCIC/FCIC by the officer or the communications section is not probable cause to conduct a stop of the vehicle.
- d. The LPR camera system is capable of conducting various types of queries that may include:
  - i. Persons checks
  - ii. Missing persons checks
  - iii. Wanted checks
  - iv. Stolen vehicles
  - v. Stolen tags
  - vi. Protection orders (domestic violence injunctions)
  - vii. Gang and terrorist watch lists
  - viii. Felons on release programs
  - ix. Inmate release program
  - x. NCIC/FCIC checks
- e. The data sources (referred to as hot lists) from which information may be extracted include:
  - i. NCIC file, which includes information on stolen vehicles, stolen license plates, wanted persons, missing or endangered persons, federal immigration violator, supervised release federal probationers, nationwide domestic violence protection orders, violent gang and terrorist organizations, and sexual offenders/predators.
  - ii. FCIC file, which includes information on stolen vehicles, stolen license plates, wanted persons, missing or endangered persons, and other state-wide BOLO alerts.
  - iii. Florida sanctioned drivers file, which includes records of cancelled, revoked, and suspended driver licenses in the State of Florida, as well as the license plate number for the corresponding person's vehicle.

- iv. Expired driver licenses file, which includes records of expired driver licenses in the State of Florida.
  - v. Florida expired tags file, which includes records of expired license plates in the State of Florida.
  - vi. Sexual offenders/predators file, which includes records of documented sexual offenders and sexual predators from Sarasota and Manatee Counties, as well as license plate numbers for the corresponding sexual offender/predator's vehicle. National or state sexual offenders/predators of law enforcement interest may be included under the FCIC file.
  - vii. Official BOLOs or alerts, based on specific and articulable facts of a concern for safety, wrongdoing or criminal investigation, or official law enforcement bulletin or teletype (e.g., vehicles associated with crime incidents, suicidal, homicidal, missing or wanted persons, Amber Alerts, stolen vehicles, or similar vehicles of interest).
- f. Members using the LPR camera system during their shift shall only enter additional vehicles of interest to the hot list for official and legitimate law enforcement purposes. Any member who misuses the LPR equipment and associated databases or data may be subject to disciplinary action.

### C. Usage:

- a. The LPR camera system may be used, but is not limited to conducting license plate canvasses in relation to any criminal investigation, violation of law, or incident concerning the safety of the public.
- b. Members assigned an agency vehicle equipped with an LPR camera system and software may:
  - i. Monitor the LPR software or LPR database throughout the deployment, taking action on verified hits. Any hot lists expired during the deployment will be automatically downloaded. During operation, LPR 'hits' are indicated by an audible and visual alarm. An LPR 'hit' will not be used as the sole reason for a traffic stop or enforcement contact until all provisions contained in this section have been satisfied. Contact with the vehicle and its occupants will only be made after a 'confirmed hit'. **Unless the officer has independent probable cause to make a stop, the officer should not make any contact with the subject vehicle until the alert is verified as active through FCIC/NCIC.**
  - ii. The member receiving the notification must first visually verify that the hot list entry matches the digital image displayed by the LPR. If for any reason it does not match, the hit will be rejected. If it does match, the hit will be accepted and the member will verify the hit through NCIC/FCIC.
  - iii. As a result, every tentative hit by the LPR camera system must be verified via a live query transaction through FCIC/NCIC by the officer before any contact is made. A 'tentative hit' by the LPR camera system prior to a live query

transaction through NCIC/FCIC by the officer or Communications is not probable cause to conduct a stop of the vehicle.

- iv. Immediately report any damage to or other malfunctions of the LPR equipment to the LPR camera Patrol Commander or his/her designee for repair.

**D. Security Access and Storage of Data:**

- a. Members shall be responsible for the security of the LPR data and may only access, use, release, and/or disseminate hot lists and uploaded data for official law enforcement purposes.
- b. Access to uploaded data shall be secured and controlled by a user login/password accessible LPR database, capable of documenting who accessed the information by date and time. Access to hot lists shall be restricted to members who have approved access to NCIC/FCIC sensitive information.
- c. Members shall only access data stored in the LPR camera system server based upon a reasonable belief that the uploaded data may be related to or useful as part of a specific official action or investigation. Requests for LPR camera server data access shall be granted by the LPR camera system coordinator or his/her designee.
- d. Data compiled by the LPR camera system shall be stored and retained in accordance with agency established electronic data storage procedure as it relates to Chapter 119.F.S.
- e. The Florida Legislature finds that it is a public necessity that images and data containing personal identifying information obtained through the use of an LPR camera system held by an agency and personal identifying information in data generated from such images be made confidential and exempt from public record. The exemption protects sensitive personal information that, if released, could be defamatory to an individual or jeopardize the safety of an individual by allowing a third party to track a person's movements and compile a history on where a person has driven. This exemption is necessary because the public disclosure of such information constitutes an unwarranted invasion into the personal life and privacy of a person. The potential harm from disclosing such information outweighs any public benefit that can be derived from widespread and unregulated public access to such information.
  - i. The following information obtained through the use of an LPR system is confidential and exempt from public record laws in accordance with Section 316.0777.F.S.:
    - 1. Images and data containing or providing personal identifying information obtained through the use of an automated license plate recognition system.
    - 2. Personal identifying information of an individual in data generated or resulting from images obtained through the use of an LPR system.
  - ii. Information obtained through the use of an LPR system may only be disclosed in accordance with Section 316.0777.F.S.

1. Any such information relating to a license plate registered to an individual may be disclosed to the individual, unless such information constitutes active criminal intelligence information or active criminal investigative information.
- f. The information technology (IT) director, or his/her designee, is responsible for overseeing the LPR camera system back office server. The server houses all captured license plates from the LPR camera system and stores the downloaded or created data base (hot list).

E. Retention

1. Automated license plate recognition systems: Records retention is regulated by Section 316.0778 F.S.
  - a. As used in this section, the term ‘automated license plate recognition system’ means a system of images of license plates into computer-readable data.
  - b. In consultation with the Florida Department of Law Enforcement, the Florida Department of State shall establish a retention schedule for records containing images and data generated through the use of an automated license plate recognition system. The retention schedule must establish a maximum period that the records may be retained.
2. The Florida Department of law Enforcement states the following on license plate recognition records:
  - a. This record series consists of license plate records created by license plate recognition systems. The series may include, but is not limited to, images of license plates and any metadata. These records may become part of the criminal investigative record or some other record series. Retention: Retain until obsolete, superseded, or administrative value is lost, but no longer than three (3) anniversary years unless required to be retained under another record series.

**F. Glossary:**

**ALERT** – An audible, visual, or documented response by the LPR camera system that has not been verified by the originating source of the response.

**BACK OFFICE SERVER** – The agency server supporting the LPR camera system data base management system. The back office server allows access to conduct intelligence reports providing information on captured license plate images.

**CONFIRMATION (CONFIRMED HIT)** - A hit by the LPR camera system that has been deemed valid and active by the originating entering agency through NCIC/FCIC.

**HOT LIST** – Any downloaded or created list that contains, but is not limited to records of license plates relative to stolen vehicles, suspended driver license, registered sex offenders, felons and/or pertinent local data base intelligence pertaining to gang or drug investigations.

**LICENSE PLATE RECOGNITION (LPR) CAMERA SYSTEM** – A specialized system consisting of equipment designed to read, store, and check license plates.

**LICENSE PLATE RECOGNITION (LPR) SYSTEM COORDINATOR** – A member tasked with the coordination, usage, equipment, and training for the agency's LPR camera system. The LPR camera system coordinator shall be determined by the special operations bureau commander.

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Peter A. Cumming, Chief of Police

I attest that I have read, understand, and will comply with this General Order set forth by the Longboat Key Police Department.

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Signature of Employee (Date)